

## CIVIL DOCKET

## UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
RAYMOND D. COWAN and JANE COWAN <u>ADDITIONAL PARTIES PLTF; Orin D. Calli-</u> <u>son &amp; Alice Callison (6-4-73)</u> vs OKC CORP., a corporation		For plaintiff: <del>Lester D. Henderson</del> <i>withdrawn 11-28-73</i> <del>Wilson &amp; Henderson</del> <del>P. O. Box 1916</del> <del>Sapulpa, Okla. 74066</del> (224-4496) W. M. Thomas, Jr., P. O. Box 217 Pryor, Okla. 74361 Ph. Area Code 918-825-1144  For defendant: Tony Jack Lyons & Gary J. Dean (OKC Co) LYONS & DEAN, 207 N.E. 1st St. Lyons-Lindsey Bldg., P.O. Drawer 1047 Pryor, Oklahoma 74361 (825-2211)			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed <i>3-1-73</i>	Clerk	2-20-73	Wilson	15 00	
		2-22-73	C.D.No.37		15 00
J.S. 6 mailed <i>11-1-74</i>	Marshal				
Basis of Action: To quiet title	Docket fee				
	Witness fees				
Action arose at: Meyes County, Ok.	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-20-73	Complaint, filed. Summons issued. g	
2-23-73	U.S. Marshal's service returned and filed; summons served on deft. by serving The Corporation Company, Oklahoma City, Okla., 2-21-73, (USM fees \$4.00) jj	
3-13-73	Deft. OKC Corp.'s Motion to Dismiss with Brief attached, filed. v <i>mailed</i>	
3-13-73	Alternative Motion to Join Additional Parties Pltf., filed by OKC Corp., Deft. v <b>w/attached Brief in Support.</b>	
3-15-73	Depositions of Plaintiffs taken on 3-7-73 by Jean Morrow, filed. jj (fee \$70.50)	
3-16-73	Depositions of Orin Callison and Alice Callison taken before Maxine Porter, taken on 3-9-73. hm	
3-19-73	Copy of letter dated 3-16-73 from J. D. to Wilson & Henderson, stating that Pltf's are to respond to each of the Motions of defts' w/supporting brief within 10 days (Due 3-26-73), filed. r	
3-26-73	Plts' Response to deft's Motion to Dismiss w/Brief in support attached., filed. r	
3-26-73	Pltfs' Response to Deft's Alternative Motion to Join Additional Parties Pltf. w/attached Brief in support, filed. r	
4-2-73	Supplement to Deft's Motion to Dismiss & Alternative Motion to Join Additional Parties Pltf., filed. r <i>mailed</i>	
4-11-73	Case set for Oral Anguement on Deft's Motion to Dismiss at Noon, Tuesday, 4-17-73. (FD-J)r	
4-17-73	Oral Arguments heard on Deft's Motion to Dismiss and Alternative Motion to Join Party Pltf. Pltf & Deft are directed to file Briefs within 10 days (Due 4-27-73) re: jurisdictional question and eminent domain. Motion to add additional parties pltf is granted. (FD-J)r	
4-27-73	Pltfs' Supplemental Brief in Support of Response to Deft's Motion to Dismiss, filed. jj	
4-30-73	Supplemental Brief of Deft. OKC Corp., filed. v	
6-4-73	Order filed, overruling Deft's Motion to Dismiss. The Court orders Orin D. Callison & Alice Callison be made add. parties pltf and deft may cause this to be accomplished by issuance of summons w/attached a copy of Complaint and this order. If add. parties pltfs file their own complaint, the defts will ans. within 15 days thereafter, filed. (FD-J)r (Copies mailed)	
6-21-73	U.S. Marshals Service returned and filed. Served summons upon Orin D. Callison and Alice Callison, Pryor, Okla. on 6-20-73. (USM \$19.20)jj	
7-9-73	Amended complaint, filed. hm	
7-9-73	Complaint of additional parties plaintiff, filed. hm	
7-24-73	Answer of Deft. to Pltfs' Amended Complaint and to Complaint of Additional Parties Pltf., filed. jj	

(Cont)

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-29-73	Case set for P-T hearing at 11:20 A.M., Oct. 2, 1973 (FD-J)r	
10-2-73	Pre-trial held. Pltff. rep. by Lester Henderson; def. rep. by Tony Lyons & Gary Dean. Statements made. Pltffs. directed to prepare PT Order. Parties directed to file trial briefs. Case to be set on non-jury docket. (FD-J)rm	
11-23-73	Application of Bill Wilson and Lester D. Henderson to withdraw as counsel for pltfs., filed. g	
11-23-73	Brief in support of application to withdraw as counsel, filed. g	
11-28-73	Order, filed, granting appl. to withdraw as pltff. counsel; further directing pltffs. to engage other counsel, appear pro se and do so by 12/18/73. failure to comply could result in dismissal.(FD-J)rm (copies to counsel and pltffs.)	
12-18-73	Entry of Appearance of W. M. Thomas, Jr. atty. for pltffs. Raymond D. Cowan and Jane Cowan, filed.a	
7-25-74	Case set for non-jury for 9/9/74 at 9:30 a.m. (FD-J)rm-notice md.	
9-6-74	Plaintiff's proposed pre-trial order, filed. rm	
9-6-74	Defendant's proposed pre-trial order, filed. rm	
9-9-74	Non-jury trial held. Parties announce ready & rep. by counsel of record. Statements made. PT Order excused by Ct.; case to be tried on pleadings. Witnesses sworn & testify; exhibits admitted; closing arguments. Def. granted 15 days to brief questions: eminent domain; def.'s right to maintain water pipeline under MKT easement & license; right to pipeline by oral agreement; def. have perspective or adverse possession rights to pipeline easement; any rights of def. under doctrine of laches; & if Ct. orders def. off land, are they entitled to remove pipeline or does it remain with pltff. Pltff. granted 15 days to respond thereafter. Ct. will then make decision. (FD-J)rm (Tim Holmes, ct. repr.)	
9-9-74	Trial exhibits, filed. rm	
9-23-74	MO: Ordered by the Ct. that def. is granted to 10/4/74 to file brief as directed in non-jury trial. (FD-J)rm parties not present by phone	
10-16-74	Dismissal with prejudice by all parties, filed and entered. rm Copies mailed	
10-21-74	Dismissal of 10/16/74, refiled, w/approval of court.(FD-J)rm copies md.	

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